

October 30, 2013

Mary Nichols, Chairman and Members of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95814

Via email: www.arb.ca.gov/cc/scopingplan/2013comments.htm

RE: Comments on 2013 Update to AB 32 Scoping Plan

Dear Chairman Nichols and Members of the Air Resources Board:

Lucas Advocates is pleased to submit these comments on behalf of our client, ClearEdge Power.

ClearEdge Power is a company headquartered in Sunnyvale, CA with manufacturing and office facilities in Hillsboro, OR and South Windsor, CT. ClearEdge Power is producing fuel cell systems for clean, distributed energy generation that scale from 5kW to multiple megawatts with 7.8 megawatts currently installed with another 2 megawatts to be deployed in California.

Fuel cells provide a critical opportunity for both the State and businesses to use the cleanest, most efficient energy generation equipment to convert low cost natural gas to continuous heat and power. Fuel cell systems are significantly cleaner than other sources powering the current California electric grid. When utilized in combined heat and power applications, fuel cells improve air quality over time by reducing carbon dioxide releases by 554 metric tons and nitrogen oxide emissions by 1.27 metric tons annually, allowing these systems to be strategically sited, without permitting, within non-attainment zones to help meet capacity needs. Fuel cell systems also conserve water compared to central generation, making them a logical fit for areas where water usage and air emissions are limited, such as LA County or the South Coast Air Basin.

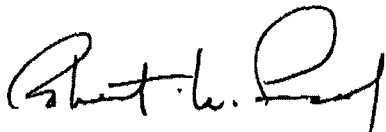
California's long-term procurement planning strategy should include stationary fuel cell systems in the wake of the San Onofre Nuclear Energy Station (SONGS) shut down and the retirement of other conventional power generation assets due to limitations on greenhouse gas emissions under AB32. Fuel cell systems help reduce the strain on the electric grid by providing power and heat directly to the end user, increasing power reliability and decreasing the need for costly transmission infrastructure. As a preferred resource, fuel cells with heat recovery meet several State goals and needs simultaneously. Most notably, installed fuel cell capacity will contribute to the State's goal of 6500 megawatts of CHP by 2030 by way of the CHP settlement proceeding, can help all

investor owned utilities meet their resource adequacy requirements, and will increase the overall efficiency and energy usage within the electric power, industrial and commercial business sectors.

California has an opportunity to clearly include stationary fuel cells within the energy section of the AB 32 Scoping Plan. Fuel cells are an extremely efficient way to address climate change and meet several clean energy and environmental goals by producing both heat and power using low cost natural gas. The current scoping plan limits the role fuel cell systems play in helping to achieve the mission of AB32 by classifying fuel cells as "R&D", even though over 80 megawatts of fuel cells have been installed in California to date. By categorizing and calling out fuel cells, the most clean, efficient and quiet form of combined heat and power (CHP) within the CHP initiatives, the State will not only increase the installed CHP capacity statewide to help meet 2030 goals but will also assist the utilities in meeting their capacity goals for resource adequacy. This is especially important within environmentally protected areas of the State where many conventional power plants are retiring and siting new generation is challenging.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact me at 916-444-7337.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Lucas". The signature is fluid and cursive, with the first name "Robert" and last name "Lucas" being clearly distinguishable.

Robert W. Lucas

cc: Katrina Fritz, ClearEdge Power
Lisa Ward, ClearEdge Power